6648400/2022/TAPPAL-REV01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Smt.K.Vijaya Kumari, former Tahsildar, Chimakurthy, Prakasam District - Violation of APCS (Conduct) Rules, 1964 - Departmental proceedings under rule 20 of A.P.C.S. (CC & A) Rules, 1991 r/w Rule 9 of A.P.R.P.Rules, 1980 - Articles of charges - Issued.

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REVENUE (VIGILANCE.III) DEPARTMENT

G.O.Rt.No.928 **Dated:03.11.2022.**

Read the following:-

1. G.O.Ms.No.696, Revenue (Vig.III) Dept., dt.03.11.2022
2. From the CCLA, Lr.No.V.S-II(1)/338/2022, Dt:08.06.2022

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ORDER:

It is proposed to hold an enquiry against Smt.K.Vijaya Kumari, former Tahsildar, Chimakurthy, Prakasam District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Articles of charges (Annexure–I). A statement of imputations of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure - III & IV).

3. Smt.K.Vijaya Kumari, Tahsildar is directed to submit, within 10 days of the receipt of this order, a written statement of his defense.

4. Smt.K.Vijaya Kumari, Tahsildar is informed that an enquiry will be held only in respect of those articles of charges as are not admitted. He should therefore, specifically admit or deny each article of charge.

5. Smt.K.Vijaya Kumari, Tahsildar is further informed that if he does not submit his written statement of defense on or before the date specified in Para–3 above, further action will be processed based on the material available.

6. Attention of Smt.K.Vijaya Kumari, former Tahsildar, Chimakurthy, Prakasam District is invited to Rule 24 of A.P.C.S (Conduct) Rules 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that Smt.K.Vijaya Kumari, Tahsildar, is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To:
Smt.K.Vijaya Kumari, former Tahsildar, Chimakurthy, Prakasam District **through** the Collector & District Magistrate, Prakasam District, Ongole.

Copy to:
The Chief Commissioner of Land Administration, A.P., Mangalagiri.
The Collector & District Magistrate, Prakasam District, Ongole.
Sf/Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE - I

ARTICLES OF CHARGES FRAMED AGAINST SMT K.VIJAYA KUMARI, THE THEN TAHSILDAR, CHIMAKURTHY AND PRESENT TAHSILDAR, CHINAGANJAM (UNDER SUSPENSION)

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Article of Charge:

That Smt K.Vijaya Kumari, Tahsildar (under suspension) while working as Tahsildar, Chimakurthy and being the custodian of Government lands in the Mandal has failed to taken steps of correction of the entries in webland for an extent of Ac.92.37 cents which was mistakenly ported in Khata number 852 of Mediboyina Srinu, even after the matter was bring to the notice of the Tahsildar by the Mediboyina Srinu. Thereby she has failed to discharge her legitimate duty to protect Government lands as per rules and this irregularity is grave in nature and shows negligent attitude on the part of Tahsildar.

Thus, Smt K.Vijaya Kumari, former Tahsildar, Chinaganjam (now under suspension), deliberately violated the rules, which amounts to misconduct and exhibited lack of integrity, devotion to duty which is unbecoming for Government Servant and thereby violated Rule 3 APCS (Conduct) Rules,1964. Hence the Charge.

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE - II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN THE SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST SMT K.VIJAYA KUMARI, THE THEN TAHSILDAR, CHIMAKURTHY AND PRESENT TAHSILDAR, CHINAGANJAM (UNDER SUSPENSION)

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The Deputy Registrar, Institution of Lokayukta of Andhra Pradesh, Hyderabad while enclosing a copy of the orders of the Hon'ble Lokayukta of Andhra Pradesh dt.06.09.2021 in Complaint No.139/2020/B1 and directed the District Collector, Prakasam to submit report thereon.

2. After verification of the orders passed by the Hon'ble Lokayukta in Complaint No.139/2020/B1, dt.06.09.2021 it is reveals that:

i. Sri P.Nagi Reddy and 4 others, residents of Devarapalem village of Chimakurthy Mandal have filed a complaint before the Hon'ble Lokayukta of Andhra Pradesh, Hyderabad against the then Tahsildar, Chimakurthy Mandal and other Revenue Officials of the Office of Tahsildar, Chimakurthy alleging that 92 acres of D.Patta lands of Devarapalem village of Chimakurthy Mandal, Prakasam District were ported under Khata No.852 of Sri Maiboyina Srinu, R/o Devarapelm Village.

ii. After reiteration of the said complaint, the Institution of Lokayukta of Andhra Pradesh vide orders dated.03.03.2020 referred the matter to the Director (Investigation) of Lokayukta to conduct discreet enquiry and submit report.

iii. Accordingly, the Deputy Director (Investigation) has enquired into the matter and submitted his report dated.12.07.2021. the Director (Investigation) submitted his scrutiny report dated.23.07.2021, after examining the report submitted by the Deputy Director (Investigation), wherein it is mentioned that:

I. Sri Mediboyina Srinu of Devarapalem village has got AC.0.31 cents of agriculture land in Sy.No.12-1 of Devarapalem village of Chimakurthy Mandal, Prakasam District and Pattadar Pass Book was issued in his name bearing Khata No.852 and his father Mediboyina Venkateswarlu has Ac.1.52 of land in Sy.No.17-2 vide Khata No.126 of Devarapalem Village.

II. Mediboyina Srinu came to know through the then VRO, Ch.Venkateswara Reddy in the year 2018 that a large extent of D.Form Patta lands have been entered under his Khata No and on the said issue he informed the same to the then Tahsildar, Chimakurthy through a petition.

III. The then Tahsildar, Chimakurthy asked him to submit the application through Meeseva to delete the above said entries from his Khata No. But, he did not filed an application through Meeseva.

IV. The Complainants, Makani Venkateswarlu and four others of Devarapalem Village have submitted a complaint regarding this matter to the Institution of Lokayukta on 16.03.2020 suspecting some malpractice in this regard.

V. The Dy.Director after examining the concerned Revenue Officials i.e Sri Gandhi, the then Tahsildar, and other Revenue officials, found that about 92.37 acres of D.Patta land was posted into the Khata of Mediboyina Srinu on 04.05.2012 due to oversight but not due to any ulterior motive.

VI. These lands were entered into the online adangal by the then Computer Operator Sri Ch.Ajay of Chimakurthy Mandal. After the commencement of Lokayukta enquiry the present Tahsildar and other officials have rectified the above mistake by deleting all the entries from the Khata No. of Sri Mediboyina Srinu.

VII. When this matter was brought to the notice of the then Tahsildar, Sri V.Ashokvardhan in the year 2018 by Sri Mediboyina Srinu, he should have taken action to correct the mistake, but he has not taken any action. The erroneous entry of 92.37 acres of D.Patta land into the Khata of Sri Mediboyina Srinu seems to have crept due to over sight.

(P.T.O)

3. The Hon'ble Lokayukta of Andhra Pradesh has after perusal of the scrutiny report of the Director (Investigation), it is clearly evident that by mistake an extent of Ac.92.37 of D.form Patta land was ported into the Khata Account of Mediboyina Srinu on 04.05.2012 orally and after commencement of enquiry by the Institution of Lokayukta, the present Tahsildar has rectified the said mistake. Though the mistake was brought to the notice of the then Tahsildar, Sri V.Askokvardhan in the year 2018 itself, he has not taken any action, which is nothing but wilfull negligence in discharging his official duty.

4. In this regard, the Hon'ble Lokayukta of Andhra Pradesh, Hyderabad has directed the District Collector, Prakasam to take appropriate disciplinary action against the then Tahsildar, Chimakurthy Sri V.Ashok Vardhan for his wilfull negligence in not taking steps for correction of the entries ported into Khata No.852 of Mediboyina Srinu in respect of Ac.92.37 of D.Form Patta Lands. When an error occurred in entering the details, how can the authorities insist one to apply him through the Meeseva for rectification. It is evident that the Tahsildars concerned have not evinced any interest to rectify the mistake till the enquiry was initiated by the Institution of Lokayukta. Such a callous and negligent attitude on the part of responsible officers like Tahsildars is not desirable. After observing their inaction, there is every chance for all doubt whether the error occurred inadvertently or with an ulterior motive and finally the Hon'ble Lokayukta has directed the District Collector, Prakasam to take action against all the Tahsildars, who have failed to rectify the error even after being informed about it till the enquiry initiated by the Institution of Lokayukta, so that such incidents do not occur in future.

5. In this regard, it is submitted that the Revenue Divisional Officer, Ongole has been directed vide Collector, Prakasam Lr.Rc.D2/538/2021, dt.09.11.2021 to furnish detailed report on the erred officials who have failed to rectify the said error since 2018, even after being informed about it, for taking necessary disciplinary action against them as observed by the Hon'ble Lokayukta of Andhra Pradesh, Hyderabad.

6. The Revenue Divisional Officer, Ongole in his report dt:20.11.2021 has furnished the names of the Tahsildars who have worked in Chimakurthy Mandal from 01.04.2017 to 20.05.2020 as Tahsildars.

Sl.No	Name of the Tahsildar, Chimakurthy	Period of working
1	Sri U.Ashok Vardhan	01.04.2017 to 14.02.2019
2	Sri K.V.Ramanaiah(Rtd.)	15.02.2019 to 15.07.2019
3	Smt K.Vijaya Kumari	15.07.2019 to 20.05.2020.

7. In this connection, it is submitted that, as the acts of the above 3 Tahsildars being the custodian of Government lands in the Mandal and having legitimate responsibilities to protect Government lands, have failed to discharge their responsibilities as per rules and this irregularity is grave in nature and shows the negligent attitude on the part of the above three Tahsildars, and this act is in violation of Rule 3 of APCS (Conduct) Rules, 1964.

8. Therefore, it is proposed to initiate disciplinary action against Sri K.V.Ramanaiah, former Tahsildar, (now retired) while working as Tahsildar in SPSR Nellore District.

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

SECTION OFFICER

6648400/2022/TAPPAL-REV01

ANNEXURE - III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SMT K.VIJAYA KUMARI, THE THEN TAHSILDAR, CHIMAKURTHY AND PRESENT TAHSILDAR, CHINAGANJAM (UNDER SUSPENSION)

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1. Deputy Registrar, Institution of Lokayukta of Andhra Pradesh, Hyderabad, Lr.Dis.No.139/2020/B1/LOK/10510 /2021, dt.05.10.2021 along a copy of the order in Comp.No.139/2020/B1, dated.06.09.2021.
2. The Revenue Divisional Officer, Ongole, Rc.D/2044/2021, dt.20.11.2021.

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE - IV

LIST OF DOCUMENTS BY WHOM THE ARTICLE OF CHARGES FRAMED AGAINST SMT K.VIJAYA KUMARI, THE THEN TAHSILDAR, CHIMAKURTHY AND PRESENT TAHSILDAR, CHINAGANJAM (UNDER SUSPENSION)

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G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

//FORWARDED::BY ORDER//

SECTION OFFICER